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*Stock Commission Co. v. Chicago Live Stock Exchange*, 143 Ill. 210; *Starret v. Rockland Insurance Co.*, 65 Me. 374, and also the acceptance by the stockholder is necessary, *Ellis v. Marshall*, 2 Mass. 269. The acceptance of the corporation may be implied in the principal case from the facts that the act of incorporation was directed to the stockholders in the joint stock company and the issuance of trust certificates after the corporation came into existence, such certificates being acceptable in payment of lots sold. The acceptance of the stockholders may be implied from the facts that the act was directed to them and was for their benefit and they never repudiated it but now seek to enforce the relationship. There being an executed contract the stockholders of the joint stock company became stockholders in the corporation and the corporation could not expel them unless the power had been expressly conferred in their charter, which was not done. *In Re Long Island Ry. Co.*, 19 Wend. (N. Y.) 37, 32 Am. Dec. 429. The complainants being valid stockholders were entitled to dividends and the corporation could not make any discrimination or otherwise deprive them of their rights. *Jones v. Terre Haute & Richmond Ry. Co.*, 57 N. Y. 196.

COVENANTS—BUILDING RESTRICTIONS.—A property owner sued on a building covenant forming part of a general scheme, after having failed to exercise his right for a considerable time, during which time many buildings had been built contrary to the provisions of the covenant. *Held*, he could not enforce the covenant in equity, his remedy being limited to an action at law. *Ocean City Land Co. v. Weber* (N. J. 1914), 91 Atl. 600.

The principal case illustrates the reluctance of courts of equity to enforce a building restriction where the complainant's failure to exercise his right has led to such a violation of the covenant that it may be appropriately said to be abandoned. The restriction will be enforced where it would be equitable in the particular case. This is the weight of authority. *Trout v. Lucas*, 54 N. J. Eq. 361, 35 Atl. 153; *McCue v. Raston*, 9 Grat. (Va.) 430; *Gaxter v. German Roman Catholic Church, etc.*, 147 Pa. 313, 23 Atl. 452; *Flint v. Charman*, 6 N. Y. App. Div. 121; *Roper v. Williams*, 1 Turn. & R. (12 Eng. Ch.) 18; *Peck v. Mathews* (1867), L. R. 3 Eq. 515. The covenantee's remedy in such cases must be sought in a court of law. *Ocean City Ass'n. v. Headley*, 62 N. J. Eq. (17 Dick.) 322, 334, 50 Atl. 78.

CRIMINAL LAW—"INVOLUNTARY" CONFESSION AS EVIDENCE.—Defendant, convicted of murder, assigned as error the admission in evidence of a confession made by him to a newspaper man, who paid him three visits while he was in jail and talked to him about religious matters, told him that his only hope was salvation, and said to him, "I am a Spiritualist, and I can look down in your black heart and see this diabolical crime you committed at midnight the other night." *Held*, that the confession was not voluntary and should have been excluded, (SMITH, C. J., dissenting.) *Johnson v. State* (Miss. 1914), 65 So. 218.

The court, in the majority opinion, discussing the meaning of the word "spiritual" as used "to define hopes and fears which may be held out to